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MEMO ENDORSED

November 20, 2019

VIA EMAIL: ALCarterNYSDChambers@nysd.uscourts.gov

Hon. Andrew L. Carter, Jr.
United States District Judge
United States District Court for the
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 435
New York, New York 10007

Re: Fordec Realty Corp. v. Travelers Excess and Surplus Lines
Company, et al
Our File No.: 17J153
Docket No.: 18-CV-00085

Dear Honorable Justice Carter:

On behalf of Plaintiff, we are making this motion by letter and accompanying Certification for permission to file a late Local Rule 56.1 Statement. Although papers we filed refer to such Local Rule 56.1 Statement, we learned today that it was apparently not filed.

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A review of the filings evidences that both Plaintiff and Defendant made numerous attempts to file documents with the court, with many of the papers being rejected. Note, we filed the Local Rule 56.1 Statement today for our papers submitted in Opposition to Defendant's Motion this date refers to such Local Rule 56.1 Statement and the Exhibits referenced therein. Without the Statement, the Opposition, timely filed today, would not be complete.

We note as well that the metadata in the Local Rule 56.1 Statement evidences when it was prepared. No changes have been made to it since the date of filing of the motions made by Plaintiff and Defendant for Summary Judgment.

Respectfully yours,

WILKOFISKY, FRIEDMAN,
KAREL & CUMMINS

By: DAVID B. KAREL
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DBK/ajd

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Andrew J. Carter

30 ORDERED
HON. MICHAEL L. CARTER, JR.
UNITED STATES DISTRICT JUDGE
2-28-20

Plaintiff should file its
Rule 56.1 Statement by
March 6